

## Bureau of Indian Affairs, Interior

## § 36.2

may the same behavioral staff be used for each program?

- 36.81 May a homeliving program use support staff or teachers to meet behavioral health staffing requirements?
- 36.82 May behavioral health professional(s) provide services during the academic school day?
- 36.83 How many hours can a student be taken out of the academic setting to receive behavioral health services?
- 36.84 Can a program hire or contract or acquire by other means behavioral health professionals to meet staffing requirements?
- 36.85 Is a nurse required to be available in the evenings?
- 36.86 Are there staff training requirements?

### PROGRAM REQUIREMENTS

- 36.90 What recreation, academic tutoring, student safety, and health care services must homeliving programs provide?
- 36.91 What are the program requirements for behavioral health services?
- 36.92 Are there any activities that must be offered by a homeliving program?
- 36.93 Is a homeliving handbook required?
- 36.94 What must a homeliving handbook contain?
- 36.95 What sanitary standards must homeliving programs meet?
- 36.96 May students be required to assist with daily or weekly cleaning?
- 36.97 What basic requirements must a program's health services meet?
- 36.98 Must the homeliving program have an isolation room for ill children?
- 36.99 Are immunizations required for residential program students?
- 36.100 Are there minimum requirements for student attendance checks?
- 36.101 How often must students who have been separated for emergency health or behavioral reasons be supervised?
- 36.102 What student resources must be provided by a homeliving program?
- 36.103 What are the requirements for multi-purpose spaces in homeliving programs?

### PRIVACY

- 36.110 Must programs provide space for storing personal effects?

### WAIVERS AND ACCOUNTABILITY

- 36.111 Can a tribe, tribal governing body, or local school board waive the homeliving standards?
- 36.112 Can a homeliving program be closed, transferred, consolidated, or substantially curtailed for failure to meet these standards?
- 36.120 What type of reporting is required to ensure accountability?

AUTHORITY: Section 502, 25 U.S.C. 2001; section 5101, 25 U.S.C. 2001; Section 1101, 25

U.S.C. 2002; 5 U.S.C. 301; 25 U.S.C. 2 and 9; 25 U.S.C. 2901, Title I of P.L. 101-477.

SOURCE: 50 FR 36816, Sept. 9, 1985, unless otherwise noted.

## Subpart A—General Provisions

### § 36.1 Purpose, scope, and information collection requirements.

(a) The purpose of this rule is to establish minimum academic standards for the basic education of Indian children for Bureau-operated schools and for those Indian-controlled contract schools which adopt these standards and to establish national criteria for dormitory situations for schools operated by the Bureau of Indian Affairs and for Indian-controlled contract schools operating dormitories.

(b) The information collection requirement contained in § 36.61(a) has been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1076-0092. The information is being collected to evaluate waiver request(s) from tribal government(s) and school board(s). The information will be used to ascertain the approval of academic waiver request. The obligation to respond is mandatory under 25 U.S.C. 2001. The information collection requirements contained in §§ 36.71(g), 36.74(f), and 36.76(b) of this rule are not required to be approved by the Office of Management and Budget since less than ten persons or tribes are affected by the information collection requirement of this rule. However, when ten or more persons or tribes become affected by this requirement, the Bureau will submit an approval request.

[50 FR 36816, Sept. 9, 1985, as amended at 70 FR 21951, Apr. 28, 2005]

### § 36.2 Applicability.

The national criteria for dormitory situations established under subpart H will serve as a minimum requirement and shall be mandatory for all Bureau-operated and Indian-controlled contract schools.

[50 FR 36816, Sept. 9, 1985, as amended at 70 FR 21951, Apr. 28, 2005]